



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MF

MF

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

08/866,857 05/30/97 CORBOY

D 06651/008001

020985 WM01/0418
FISH & RICHARDSON, PC
4350 LA JOLLA VILLAGE DRIVE
SUITE 500
SAN DIEGO CA 92122

EXAMINER

HUYNH, C

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 04/18/01

20

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

MF

Office Action Summary

Application No.

08/866,857

Applicant(s)

CORBOY, DAVID

Examiner

Cong-Lac Huynh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 31-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 31-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

Art Unit: 2176

DETAILED ACTION

1. This action is responsive to communication: amendment filed on 7/25/00 to the application filed on 05/30/97.
2. Claims 31-50 are added.
3. Claims 1-16, 31-50 are pending in the case. Claims 1 and 10 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4, 9-14, 31-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman (US Pat No. 5,586,235, 12/17/96) in view of Berry et al. (US Pat No. 5,692,205, 11/25/97) and Boezeman et al. (US Pat No. 5,889,519, 3/30/99, filed 3/26/96).

Regarding independent claim 1, Kauffman discloses:

- a standard document structure for organizing and storing all information in documents used in a digital multimedia system (col 2, lines 35-40, col 4, lines 47-52)

Art Unit: 2176

and the document is organized in a hierarchical manner (col 4, lines 65-67, col 5, lines 1-20)

Kauffman does not explicitly disclose the encapsulating in a multimedia document the first and second file support objects from the different first and second file formats.

Instead Kauffman discloses:

- the employing of object-oriented technique in the invention in which the multimedia objects are included in the document objects of different formats (col 5, lines 58-64, col 6, lines 12-30, each document object contains a pool of asset data files representing digitized and audio information)

Berry discloses:

- an integrating of multimedia presentations into an object oriented user interface which includes multiple polymorphic objects which each has associated encapsulated data and functionality (abstract, col 2, lines 27-33)

Kauffman and Berry does not disclose encapsulating in the multimedia document choreographing information for allowing a document author to define a relative time at which the first file support object and the second file support object are displayed.

Boezeman discloses:

- encapsulating in the multimedia document choreographing information for allowing a document author to define a relative time to display different multimedia items using object-oriented programming (synchronizing of multimedia parts in relation to event time, relative time and absolute time, col 1, lines 50-60, col 2, lines 35-38, the

Art Unit: 2176

invention is applied on object-oriented method, col 3, lines 49-65, user can synchronize relative time, absolute time and event time , col 5, lines 41-64)

- *the choreographing information as defined in the timing comprising data slices from the first file support object interleaved with data slices from the second file support object so as to incrementally display the first file support object and the second file support object to user (col 1, lines 50-60; col 5, lines 4-19, 30-55)*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Boezeman and Berry into Kauffman since Kauffman method relating to how to organize and format a multimedia document using object-oriented technique would be more effective when adding specific object-oriented features of Berry and Boezeman. Furthermore, the combination of these three references will provide the synchronization of multimedia events based on the timing when a video object is interleaved with an audio object when retrieved to a user.

Regarding claim 4, which is dependent on claim 1, Berry discloses:

- creating an exclusionary area within the window (figures 2, 3A-C)
- locating an object within the exclusionary area, the object being selected from a group of data objects including a framed image, a slide show, framed text, sound data, a separator, or a hyperlink (figures 2, 3A-C)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry into Kauffman since Berry provides more specific

Art Unit: 2176

features in displaying of slides beside what are disclosed in slide presentation system of Kauffman.

Regarding claim 9, which is dependent on claim 1, Berry discloses:

- creating an object in the data file (figure 2, col 3, lines 59-67)
- locating player data within an object defining a player that plays the object (col 1, lines 28-44, col 4, lines 61-67, col 5, lines 1-2)

Berry does not disclose the created object is an unknown object. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Berry to include that feature. Berry provides a "player" interface for each multimedia object thus no matter the object is known or unknown, the system always locates the player associated with the multimedia object. Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry into Kauffman since Berry helps to define the object in general in Kauffman as an unknown object through locating such object with a player.

Independent claim 10 is for a computer system of the method claim 1, and is rejected under the same rationale.

Regarding claim 11, which is dependent on claim 10, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to recognize that multimedia documents including text, images, sound, the first file format or the second

Art Unit: 2176

file format is selected from the group of file formats that include the textual file format, the image file format, and the sound format.

Regarding claim 12, which is dependent on claim 10, as disclosed in claim 1, both Kauffman and Berry apply the object-oriented technique thus the feature of inheritance is included.

Regarding claim 13, which is dependent on claim 10, due to applying the object-oriented technique, each object obviously has associated attributes and functions.

Regarding claim 14, which is dependent on claim 10, as disclosed in claim 1, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to recognize that each page, as a portion of a document, is a data element object arranged in the hierarchical document (Kauffman, col 4, lines 55-67, col 5, lines 1-15) thus the combination of these pages forms a part of the multimedia document.

Regarding claim 31, which is dependent on claim 1, and claim 32-34, which are dependent on claim 31, ^{Boezman}Rowe further discloses a header, and data of interleaved object files wherein the object files are stored with hierarchy (figures 11-15, col 5, lines 20-35; col 6, lines 57- 65, each component includes sub-components). Though Rowe does not use the same terminology such as a multiplex section, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have utilized

Art Unit: 2176

Rowe since Rowe provides objects of different types (animation, audio, video, and images) arranged alternatively when retrieved and displayed to a user.

Regarding claims 35 and 36-39, which are dependent on claims 31 and 35 respectively,

Boezman ~~Rowe~~ discloses:

- scene number which includes correspondent animation, video, and images arranged in each scene (figures 2-15, col 6, lines 22-48)
- multimedia objects of different types (figures 2-15)
- header data, size and type data for each object type (figures 2-15)
- data slices of object files interleaved together (figures 2-15)
- locating a plurality of slice size data blocks before interleaved data slices, each slice size data block corresponding to one of the data slices and providing a size of the corresponding data slice (figure 4, col 7, lines 20-35)

Rowe does not disclose the object number counter indicating the number of object file in the choreography group. However, since ^{*Boezman*} ~~Rowe~~ teaches the scene number where each scene includes multimedia objects of audio and video, it shows that an object counter should be included to count the number of scenes. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have recognized that the choreography information for multimedia objects is included since ^{*Boezman*} Rowe teaches the synchronization where the timing for displaying multimedia objects is defined (col 1, lines 50-59; col 5, lines 20-55; col 6, lines 23-56).

Art Unit: 2176

Regarding claim 40, which is dependent on claim 31, Rowe discloses a plurality of separate object files that are not played by a player as a *separate object file* received by a receiver (col 5, lines 20-47, the image display is *independent* of the playing of animation and audio).

Claims 41-50 are for a computer system of the method claims 31-40, and are rejected under the same rationale.

6. Claims 2-3, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman as applied to claim 1 above, and further in view of Ando (US Pat No. 5,600,826, 2/4/97).

Regarding claims 2 and 3, which is dependent on claim 1, Kauffman, Berry and Boezeman do not disclose changing at least an object in the data file and adding at least an object to the data file.

Ando discloses:

- changing one object in the data file (col 6, lines 43-63)
- adding an object to the data file (col 6, lines 43-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Kauffman, Berry and Boezeman since Ando provides the ability of editing objects, which can comprises of changing and editing

Art Unit: 2176

objects, in a structured data in which data elements (logic objects) are arranged in the order of depth, which is equivalent to the hierarchy taught in Kauffman.

Regarding claim 7, which is dependent on claim 1, Kauffman, Berry and Boezeman do not disclose that each object has an address indicating a player that plays the object. Ando discloses that each object has an object identifier that stores the position information of a data element (col 1, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Kauffman, Berry and Boezeman since Ando provides the object identifier, which is an object address, to recognize the object in the multimedia document to be played.

Regarding claim 8, which is dependent on claim 1, Kauffman, Berry and Boezeman do not disclose compressing information in each object.

Ando discloses a data compression/development device can, of course, be incorporated into a structured data processor (col 6, lines 38-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Kauffman, Berry and Boezeman since Ando has the ability of compressing data for high-speed data transmission. This implies there is also an information compressing in each object.

Art Unit: 2176

7. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman as applied to claim 1 above, and further in view of Johnson (US Pat No. 5,892,847, 4/6/99, filed 4/22/96).

Regarding claims 5 and 6, which are dependent on claims 1 and 5 respectively, Kauffman, Berry and Boezeman do not disclose defining as well as locating the update splash image within the data file.

Johnson discloses:

- splash image data defining a splash image and locating the splash image data within the data file for displaying the splash image on the computer display (col 4, lines 30-50)
- further updating the splash image to be displayed (col 4, lines 30-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Johnson into Kauffman, Berry and Boezeman since Johnson shows the process of displaying of a splash image, which is an element of a multimedia document.

8. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman as applied to claim 1 above, and further in view of Brown (*Using Netscape 2*, Que Corporation, 1995, pages 773-774, 777).

Art Unit: 2176

Regarding claims 15 and 16, which are dependent on claim 10, Kauffman, Berry and Boezeman do not disclose that the document forms a code segment that receives image information, and wherein the image information is used to construct an image frame for a framed image that is a part of the multimedia document.

Brown discloses the code segment to construct the image frame that is part of a multimedia document (pages 773, 774, figure 30.11, page 777).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Brown into Kauffman, Berry and Boezeman since Brown provides the code for constructing a frame in a HTML document and also provides how the frame looks like according to the data format of the code. An HTML can be a hypermedia document when being included multimedia elements, therefore Brown can be applied for the multimedia documents in Kauffman, Berry and Boezeman.

Response to Arguments

9. Applicant's arguments filed 2/8/01 have been fully considered but they are not persuasive.

Applicants argue that Kauffman, Berry, and Boezeman, alone or in combination, do not disclose or suggest "choreographing information for allowing a document author to define the timing at which the first file support object and the second file support object are retrieved by a user, the choreographing information comprising data slices from the first file support object interleaved with data slices from the second file support object so

Art Unit: 2176

as to incrementally display the first file support object and the second file support object to the user."

Examiner disagrees.

Boezeman, in combination with Kauffman and Berry, shows that feature as above (col 1, lines 50-60, figures 11-15, col 5, lines 4-19, 30-55). Boezeman defines the timing for events through the relative time relationship (col 1, lines 50-60, col 5, lines 5-67 to col 6, lines 1-4, 23-38). Boezeman also discloses retrieving of animation and audio to display the animation and playing of audio, which are data slices from the first file support object and the data slices from the second file support object, so as to incrementally display video object (which is animation) and the audio object to the user (col 5, lines 4-19, figures 11-15).

Claims 2-3, 5-8, which are dependent to claim 1, remain rejected since Kauffman, Berry, and Boezeman disclose limitations of the amended claim 1.

Claims 15-16, which are dependent to claim 10, remain rejected since Kauffman, Berry, and Boezeman disclose limitations of the amended claim 10.

Conclusion

Art Unit: 2176

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is (703)-305-0432. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. The fax number to this Art Unit is (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Art Unit: 2176

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:


(703) 308-5403 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA. Sixth Floor (Receptionist).

clh

4/16/01


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100